

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JACKIE HAM,)
)
Plaintiff,)
)
 v.) Civil Action No. 07-29E
) Judge McVerry
UNITED STATES,) Magistrate Judge Caiazza
)
Defendants)

MEMORANDUM ORDER

This prisoner civil rights suit filed by a federal prisoner was commenced on March 1, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b) (1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 28, 2008, recommended that the Motion to Dismiss or for Summary Judgment filed by the United States (Doc. 14) be granted. It was further recommended that the Plaintiff's Motion to Join Additional Defendant (Doc. 22), and the Plaintiff's Motion to File an Amended Complaint (Doc. 24), be denied. The Plaintiff's Reply to the Motion was received on February 29, 2008, and has been considered by the undersigned. The parties were allowed ten days from the date of service to file objections. Objections were due on March 17, 2008, and the Plaintiff's Objections were filed on March 19, 2008.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 26th day of March, 2008,

IT IS HEREBY ORDERED that the Motion to Dismiss or for Summary Judgment filed by the United States (Doc. 14) is GRANTED.

IT IS FURTHER ORDERED that the Plaintiff's Motion to Join Additional Defendant (Doc. 22), and the Plaintiff's Motion to File an Amended Complaint (Doc. 24), are DENIED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 29), dated February 28, 2008, is adopted as the opinion of the court.

s/Terrence F. McVerry
U.S. District Court Judge

CC:
JACKIE HAM, 05689-068
FCI MCKEAN
PO BOX 8000
BRADFORD, PA 16701

Jessica Lieber Smolar, AUSA
Email: jessica.smolar@usdoj.gov